



Paper No. 6

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OFFICE OF PETITIONS

ON PETITION

In re Application of :
Bajgar et al. :
Application No. 10/092,177 :
Filed: March 6, 2002 :
Attorney Docket No. IME-037.01 (04156-3701) :
Title of Invention: DRUG ELUTING :
ENCAPSULATED STENT :

This is a decision on the petition under 37 CFR 1.182, filed on September 17, 2003, to change the name of the co-inventor for the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 C.F.R. § 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition". This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

Pursuant to MPEP 605.04(c) to effectuate a name change of an inventor petitioner must submit an affidavit signed with both names and setting forth the procedure whereby the change of name was effected, or a certified copy of the court order must be provided. Although petitioner has provided a declaration which states the name change occurred by court order, the declarant has failed to sign the declaration with both names. It is not sufficient that both name have been typed written. Inventor Bajgar/Bergen must sign the declaration with both her former name and her current name.

There is no indication that Petitioner herein was ever empowered to prosecute the instant application. If Petitioner desires to receive future correspondence regarding this application, the appropriate power of attorney documentation and change of correspondence address must be submitted. A courtesy copy of this decision will be mailed to Petitioner. However, all future correspondence will be directed to the address

of record until such time as appropriate instructions are received to the contrary.
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Further correspondence with respect to this matter should be addressed as follows:

By mail:	Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
By facsimile:	(703) 308-6916 (until December 1, 2003) (703) 872-9306
By hand:	Office of Petitions 2201 South Clark Place Crystal Plaza 4, Suite 3C23 Arlington, VA 22202
By delivery service: (FedEx, UPS, DHL, etc.)	U.S. Patent and Trademark Office 2011 South Clark Place Customer Window, Mail Stop Petition Crystal Plaza Two, Lobby, Room 1B03 Arlington, VA 22202

Telephone inquiries concerning this matter may be directed to the undersigned at 703.306.0251.



Charlema R. Grant
Petitions Attorney
Office of Petitions

cc: Donald W. Muirhead
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